

# DEPARTMENT of the INTERIOR

FISH AND WILDLIFE SERVICE

news release

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## SHOOTING HOURS FOR WATERFOWL HUNTING TO BE REVIEWED

The Interior Department's U.S. Fish and Wildlife Service has been ordered to study its regulations on shooting hours for waterfowl hunting to determine the impact of early morning and late afternoon shooting on protected species.

The action was ordered March 11, 1977, by U.S. District Judge Gerhart Gesell in response to a Defenders of Wildlife suit. In the suit it was contended that since Federal regulations allowed waterfowl hunting one-half hour before sunrise, there was a possibility during that time of shooting endangered species or species which are otherwise protected.

Judge Gesell ruled that the 1976-77 shooting hours regulations were arbitrary and unlawful in the sense that the rulemaking proceedings did not give sufficient attention to the possible impact on protected species. He directed the Fish and Wildlife Service to focus more sharply on the impact of shooting hours when it determines this fall's hunting regulations.

Regulations that permit hunting from one-half hour before sunrise to sunset have been in effect for many years for the hunting of most game species.

In his ruling Judge Gesell stated, "This is not to say that twilight shooting must be prohibited if protected species are subject to any killing by inadvertent action of hunters or otherwise. But there must be evidence in the record that hunting hours under the new regulations are so fixed that such killing is kept to the minimum, consistent with other obligations imposed on the Service by Congress."

The Service has already begun the studies called for by the court ruling and expects to have them completed in time for consideration during the rulemaking process for the 1977 hunting regulations.